

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**DENNIS DIMON,**

**Plaintiff,**

**VS.**

**C. A. No: 05-11073 NG**

**METROPOLITAN LIFE  
INSURANCE COMPANY, KEMPER  
INSURANCE COMPANY,  
MICHAEL B. LATTI, LATTI  
ASSOCIATES, and LATTI &  
ANDERSON LLP,**

**Defendants.**

## JOINT MOTION TO RESCHEDULE PRETRIAL CONFERENCE

Defendant Metropolitan Life Insurance Company and Plaintiff Dennis Dimon (hereinafter the “Moving Parties”) jointly request the Court reschedule the Pretrial Conference, which is currently scheduled for January 28, 2008, at 2:30 p.m. The Moving Parties request that the Pretrial Conference be rescheduled to February 18, 2008, at 9:00 a.m., the currently scheduled trial date, or the next available date convenient for the Court. Although Kemper Insurance Company (“Kemper”) has refused to join in this Motion, Kemper’s counsel informed the undersigned that it will not oppose the requested relief.

As grounds for this Motion, the Moving Parties state that the pending Motions should be ruled upon prior to trial in this matter. Resolution of these pending Motions may narrow or eliminate some of the remaining issues for trial. Additionally, both counsel for Plaintiff, Mr. David Kaplan, Esq. and Mr. Brian Keane, Esq., have

unavoidable scheduling conflicts that would prevent them from trying this matter on the scheduled trial date. Mr. Kaplan will undergo bi-lateral hip replacements on February 5 and 10, 2008. Mr. Kaplan's recovery period is expected to be 8 to ten weeks at a minimum. Mr. Keane and his wife are expecting twins and his wife is scheduled for a Cesarean Section on February 19, 2008.

The Moving Parties respectfully requests that the date currently scheduled for the start of trial in this matter, February 18, 2008, be used for a rescheduled Pretrial Conference.

Respectfully submitted,  
For the defendant,  
Metropolitan Life Insurance Co.

Respectfully submitted,  
For the Plaintiff,

/s/ Peter LeBlanc  
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/s/ Brian Keane  
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Brian Keane #656717  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing document was filed via the ECF system and will be served electronically through that system upon Counsel of Record on January 22, 2008.

/s/ Peter LeBlanc  
Peter LeBlanc